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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. MJ 08-393  
09 Plaintiff, )  
10 v. ) DETENTION ORDER  
11 JOHN P. BARKER, )  
12 Defendant. )  
13 \_\_\_\_\_ )

14 Offense charged: Mailing a Threatening Communication

15 Date of Detention Hearing: Initial appearance, September 8, 2008

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18 that no condition or combination of conditions which defendant can meet will reasonably assure  
19 the appearance of defendant as required and the safety of other persons and the community.

20 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

21 (1) Defendant is charged by Complaint in the District of Kansas, 08-MJ-8088. He is  
22 alleged to have mailed an envelope containing white powder to the IRS in Austin Texas with the

01 following statement, “You Have Been Exposed to Anthrax [sic] Die!”. No evidence of Bacillus  
02 anthracis was found in a test of the white powder.

03 (2) Defendant was not interviewed by Pretrial Services. Minimal information is  
04 available about his history and residence, and no information about family, income, financial assets  
05 or liabilities. Some information indicating a history of mental health problems is available.

06 (3) The defendant poses a risk of nonappearance because he is alleged to have left the  
07 District of Kansas while under investigation for the current charges, as well as unverified or  
08 unknown background information. He poses a risk of danger due to the nature of the instant  
09 offense and possible mental health problems.

10 (4) There does not appear to be any condition or combination of conditions that will  
11 reasonably assure the defendant’s appearance at future Court hearings while addressing the danger  
12 to other persons or the community.

13 It is therefore ORDERED:

14 (1) Defendant shall be detained pending trial and committed to the custody of the  
15 Attorney General for confinement in a correction facility separate, to the extent  
16 practicable, from persons awaiting or serving sentences or being held in custody  
17 pending appeal;

18 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
19 counsel;

20 (3) On order of a court of the United States or on request of an attorney for the  
21 Government, the person in charge of the corrections facility in which defendant is  
22 confined shall deliver the defendant to a United States Marshal for the purpose of

01 an appearance in connection with a court proceeding; and

- 02 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
03 counsel for the defendant, to the United States Marshal, and to the United States  
04 Pretrial Services Officer.

05 DATED this 8th day of September, 2008.

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07 Mary Alice Theiler  
08 United States Magistrate Judge  
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